



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,694	04/23/2008	Harout Ohanesian	348-107	6627
1009	7590	03/18/2009		
KING & SCHICKLI, PLLC 247 NORTH BROADWAY LEXINGTON, KY 40507			EXAMINER HARVEY, JAMES R	
			ART UNIT 2833	PAPER NUMBER
			MAIL DATE 03/18/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/581,694

**Applicant(s)**

OHANESIAN, HAROUT

**Examiner**

James Harvey

**Art Unit**

2833

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 April 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-18 and 20-30 is/are rejected.  
7) ☒ Claim(s) 19 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 8-17-06 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date 8-17-06  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

- The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

-- In reference to Claim(s) 20, the recitation "socket holder" is only found to be mentioned a singular instance in applicant's spec. Applicant's has failed to assign an element number that is associated with the drawings so that it is possible to understand what structure is being claimed. An examination on the merits (as best understood) is addressed herein.

-- The above feature(s) must be shown or the feature canceled from the claim. No new matter should be entered.

- Please note that drawing corrections will no longer be held in abeyance. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application.

### *Claim Objections*

- The following claim(s) is/are objected to because of the noted informalities:

In reference to Claim(s) 1-22, applicant has chosen to use the recitation "the or each" throughout the claims. This appears a bit out of the ordinary at the USPTO and applicant may wish to change the language to –at least one of– in order to avoid the possibility of a colleague thinking less of the claims based Solely upon the recitation.

In reference to Claim(s) 22, the recitation "cable receiving conduit" is vague and indefinite. For purposes of examination, it is assumed that the language is intended to not to claim the cable. An examination on the merits (as best understood) is addressed herein.

In reference to Claim(s) 22, the recitation "conduit" is seen to be undefined. For purposes of examination, it is assumed that the language is intended to only require some type of structure that could receive a cable. An examination on the merits (as best understood) is addressed herein.

■ Claims 7-10 and 21 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim can not depend upon another multi-dependent claim. See MPEP § 608.01(n). Accordingly, the claims 7-10 and 21 will not be further treated on the merits.

- The following claim(s) is(are) objected to under 37 C.F.R. Rule 1.75 (d)(1).

- The terms and the phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. In particular, In reference to Claim(s) 11, last line, the recitation “primary socket” lacks proper antecedent basis.

- Correction is required.

- Appropriate response to the above is required.

#### *Claim Rejections - 35 USC § 112*

- The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- The following claims is/are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In reference to Claim(s) 1, last line the recitation “said the” is redundant. An examination on the merits (as best understood) is addressed herein.

In reference to Claim(s) 3, the recitation “has locking means” is confusing. It is not clear if it is a different locking means than recited in claim 1 or the same means. For purposes of examination, it is assumed that the language is intended to mean it is seen to be the latter. An examination on the merits (as best understood) is addressed herein.

In reference to Claim(s) 20, the recitation "socket holder" is only found to be mentioned a singular instance in applicant's spec. Applicant's has failed to assign an element number that is associated with the drawings so that it is possible to understand what structure is being claimed. Further, the structural differences between the electrical take off socket (last line of claim 20) and the power take off socket holder (line 1 of claim 20) are not discernable. An examination on the merits (as best understood) is addressed herein.

■ Claims 23-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In reference to Claim(s) 23-30, it is not clear what structure is being claimed. Accordingly, further examination on the merits can not be completed at this time.

- Appropriate correction of the above is required.

*Claim Rejections - 35 USC § 102*

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

*Claim Rejections - 35 USC § 103*

- The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

■ \*\* The following claim(s) is/are rejected under 35 U.S.C. 102(b) as being anticipated by foreign patent FIRST RETAINER-A-2 837 323 from applicant's ids dated 8-17-06 (herein referred to as fp ).

In reference to Claim(s) 1, fp shows an electrical distribution system comprising or including an insulating track (100) for insulating an electrically conducting track (101,102, 103) connectable to an electric power supply and being adapted to receive one or more primary electric power take off socket (400; figure 18) for receiving in electrical contact therewith an electric plug when inserted therein, wherein the or each socket has electrical contacts .(402-406 / 408-410 -- figure 18) engageable via a push fit with a carriage (200 / 216, 217 – figure 19) electrically connectable to the electrically conducting track (see Fig. 9, Fig. 20) and being adapted to be selectively positioned there along, and locking means (221,222 – figures 9 and 19) whereby the or each socket may be selectively locked in place along the electrically conductive track, thereby to position and re-position as required said the or each electric power take off socket.

In reference to Claim(s) 2, fp shows the carriage is slideable 500 ( figure 19).

In reference to Claim(s) 3, as best understood, fp shows applicant's claimed structure.

In reference to Claim(s) 4, fp shows ( figure 6 ) cam surfaces ( near the lead line of numeral 206 ).

In reference to Claim(s) 5, fp shows ( figure 18 ) corresponding socket ( near the lead line of numeral 402-406 or 408-410).

In reference to Claim(s) 6, fp shows structures that wires may be connected.

Claims 7-10 and 21 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim can not depend upon another multi-dependent claim. See MPEP § 608.01(n). Accordingly, the claims 7-10 and 21 will not be further treated on the merits.

In reference to Claim(s) 11, as best understood, fp shows track 100, conducting track 101, guide rail 107, connector ( near the lead line of numeral 304 ( figure 15 ), sockets 300.

In reference to Claim(s) 12, as best understood, fp shows locking form that could be cooper able with carriage 300.

In reference to Claim(s) 13, see reference(s) below.

In reference to Claim(s) 14 and 15, see reference(s) below.

In reference to Claim(s) 16, claim 16 is seen to claim the same subject matter that has been rejected in claims 1-6 herein. Further, the same claimed structure is shown by fp.

In reference to Claim(s) 17 and 18, these claims are seen to claim the same subject matter that has been rejected in claims 1-6 herein. Further, the same claimed structure is shown by fp.

In reference to Claim(s) 19, it has allowable subject matter that is addressed below.

In reference to Claim(s) 20, as best understood, fp shows applicant's claimed structure.

In reference to Claim(s) 21, it has been addressed above as a claim that can not be examined at this time.

In reference to Claim(s) 22, see reference(s) below.

■ \*\* The following claim(s) is/are rejected under 35 U.S.C. 102(e) as being anticipated by Jong (7201589; showing PCT pub date of 11-20-03; herein referred to as jj ).

In reference to Claim(s) 11, jj shows track 110, conducting track 128, guide rail ( near the lead line of numeral 122 (cover sheet) ), connector with sockets ( near the lead line of numeral 400).

In reference to Claim(s) 13, jj shows ( figure 2 ) a separate conduit ( near the lead lines of numerals 142 or 180 r 120 or 182) that can be used for additional wiring.

In reference to Claim(s) 22, as best understood, jj shows a conduit ( near the lead line of numeral 2152; figure 7a ), conducting track 2158, intermediate cover ( near the lead line of numeral 2178 ( figure 7a ), and a front cover (130,132; figure 5 ).

■ \*\* The following claim(s) is/are rejected under 35 U.S.C. 102(e) as being anticipated by Bolen et al. (7381064; herein referred to as bb ).



In reference to Claim(s) 14, bb shows ( figure 2 ) track ( near the lead line of numeral 32 ), a circular insulated track ( near the lead line of numeral 36 ), contacts 44 of socket 40 and a reel (34, 38).

In reference to Claim(s) 15, bb shows applicant's claimed structure.

***Allowable Subject Matter***

- Claim(s) listed at box 7 on PTO-FORM 326 has(have) allowable subject matter.
- Claim(s) listed at box 7 on PTO-FORM 326 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- The following is a statement of reasons for the indication of allowable subject matter: This application claims the following structure:

In reference to Claim(s) 19, the pins of fp are not in the power take off socket (400 of fp) of fp. The pins are in the carriage (200 of fp).

The above noted structure in combination with all the other elements of the claim is not shown in a publication and the examiner knows of no permissible motivation to combine the prior art such that the subject matter as a whole would have been obvious at the time the invention was made.

- If the application becomes allowable, any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowable Subject Matter".

***Conclusion***

- The prior art listed on PTO form 892 that is made of record and not relied upon is considered pertinent to applicant's disclosure because it shows the state of the art with respect to applicant's claimed invention.
- Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 571-272-2007.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on 571-272-2800 extension 33.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2800.

/James Harvey/  
James Harvey  
Primary Examiner